THE HON'BLE SMT. JUSTICE T.MEENA KUMARI
AND
THE HON'BLE SRI JUSTICE G.CHANDRAAIH

W.P.NO.35044 OF 1998

O R D E R (Per the Hon'ble Smt. Justice T.Meena Kumari)

Heard the Government Pleader for Services – I and the learned counsel for the unofficial respondents.

2. Aggrieved by the order dated 29.07.1998 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad in O.A.No.510/1998, the Government filed the present writ petition.

3. From the material available on record, it could be seen that case of the unofficial respondents herein is that they are working as NMR workers since 1992 and aggrieved by the action of the respondents in not regularizing their services in terms of G.O.Ms.No.212 dated 22.4.1994 they filed O.A. Their further case is that they are in service as on the date of the G.O. and also completed service of five years, obviously by the time of filing the O.A.

4. On the other hand the contention of the Government Pleader is that as per the said G.O., the applicants shall not only be in service as on 25.11.1993, but they shall have completed five years of service by then.

5. The Tribunal considering the judgment of the Division Bench of this court in W.A.Nos.603, 604 and 605 of 1995 dated 30.06.1995 wherein it was held that there is no need that the applicants shall complete five years of service by 25.11.1993 and that it is sufficient if the applicants are still in service and completed five years of continuous service by the date of consideration for regularization and that the employees shall be regularized with effect

from the date or dates they completed five years of continuous service; and also considering the contention of the applicants that the S.L.P. filed by the Government was dismissed and that they have completed continuous service of five years, directed the Government to consider the cases of the applicants in terms of G.O.Ms.No.212 dated 22.4.1994 and subject to other instructions read with Act No.3/98 for regularization and also subject to eligibility, suitability etc.

6. In view of the above facts and circumstances and the directions of the Tribunal to consider the case of the applicants in terms of the G.O. and subject to fulfilling the requisite conditions, we do not find any reason to interfere with the impugned order and the writ petition is dismissed confirming the order of the Tribunal. No costs.

T.MEENA KUMARI,J

G.CHANDRAIAH,J

AVS
DATE:12.11.2007